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CLERK

84-1129

No. 84-

IN THE
SUPREME COURT OF THE UNITED STATES

October Term, 1984

PATRICIA CONTI and RICHARD CONTI,
husband and wife,
Petitioners

v.

FORD MOTOR COMPANY,
Respondent

SUPPLEMENTAL APPENDIX TO THE PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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EDITOR'S NOTE

THE FOLLOWING PAGES WERE POOR HARD COPY AT THE TIME OF FILMING. IF AND WHEN A BETTER COPY CAN BE OBTAINED, A NEW FICHE WILL BE ISSUED.

WARNING—If your vehicle is equipped with Electronic Engine Controls use of a radio transmitter other than a properly-installed CB may cause the vehicle's engine to idle roughly, hesitate or stall. If the engine stalls, power options such as power brakes and power steering will stop working. Always consult your Ford or Lincoln/Mercury dealer for an accessory component before installing or using a radio transmitter (other than a properly-installed CB) in this vehicle.

Starter Operation

The START position on the ignition lock cylinder is used to crank the engine. Before turning the key, make sure the parking brake has been set. Place the automatic transmission lever in P

(PARK) or N (NEUTRAL). On manual transmission vehicles depress the clutch pedal and place the gearshift lever in the NEUTRAL position, as starter will operate while selector is in any gear.

Avoid excessive cranking (in excess of 30 seconds) with an intermittently firing or flooded engine. To avoid starter overheat or damage, do not crank the starter *continuously* for more than 30 seconds at a time. If the engine fails to start within the period mentioned above, wait 2 minutes before again attempting to start the vehicle.

CAUTION—If the engine stalls or falters in starting, wait 3 or 4 seconds before re-engaging the starter. This will prevent possible serious damage to the starter or engine.

Towing speed is to be limited to 50 mph (80 km/h) with the driving wheels off the ground and on a smooth surface. For wrecker towing on rough pavement, the maximum towing speed is 35 mph (57 km/h). 35 mph (57 km/h) maximum towing speeds should be used whenever the tow truck operator is not sure of road surface condition.

When a vehicle is pulled on its front wheels, the steering wheel must be clamped in the straight ahead position with a steering wheel clamping device designed for towing service use, such as provided by towing manufacturers.

Trailer Towing

It is important to your safety and to the care of your car to properly match the trailer towing equipment with that of the trailer and to carefully follow all vehicle and trailer loading recommendations. Make sure that all towing equipment is properly and safely attached to your car. Your dealer will be happy to supply you with this information upon your request. Following is some general information which you may find helpful.

CAUTION—The 2.3L and 2.3L Turbocharged engine is not designed for the purpose of towing trailers. Towing trailers may result in damage to the engine.

CAUTION—If the ignition key is not available to unlock a steering column where applicable, place a dolly under the rear wheels and tow the vehicle with the front wheels raised. Do not use the vehicle's steering column lock to secure the wheels in straight ahead position when pulled from the rear.

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SITUATIONS

CAUTION—Towing a trailer puts additional loads on your vehicle's engine and drivetrain. Be sure to refer to the notes in the "Scheduled Maintenance Services" section when towing a trailer for long distances.

CAUTION—DO NOT USE OVERDRIVE WHEN TOWING A TRAILER.

Hitches

Use a good quality non-equalizing hitch for towing Class I trailers up to 2000 pounds (900 kg) gross loaded weight with a maximum tongue weight of 200 pounds (90 kg). Towing trailers over 2000 pounds (900 kg) gross trailer weight exceeds the limits of the vehicle and is not recommended.

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Powertrain

Recommended powertrain requirements for towing typical Class I trailers with up to 200 pound (90 kg) tongue is as follows:

1000-1500 Pound GTW	1500-2000 Pound GTW
• 3.3 Litre (200 CID) Engine	• 4.2 Litre (255 CID) Engine
• Automatic Transmission	• Automatic Transmission
• Power Brakes	• Power Brakes

For long distance/high speed towing, an external dealer-installed transmission oil cooler installation is recommended.

Four-cylinder engines and/or manual transmission should not be used for trailer towing purposes where gross trailer weight (GTW) exceeds 1000 pounds/100 pound (450 kg/45 kg) tongue load.

High Altitude Towing

Trailer towing at high altitudes reduces vehicle performance and towing ability. For improved performance in high altitude areas,

calculating your total vehicle load. First, weigh your vehicle without the driver, passengers, and luggage. Then weigh your vehicle with the driver, passengers, luggage and trailer attached. Subtract the two weights to find out the vehicle load. If the vehicle load is greater than the rated load capacity shown on the tire decal, remove enough weight from the vehicle to bring the load down to the rated load capacity. When towing a trailer, it is recommended that the tire pressure be increased 4 psi (28 kPa) over that shown on the tire decal. Do not exceed the maximum inflation pressure given on the tire.

reduced trailer weight can increase towing ability and braking performance.

NOTE–It is recommended that trailers over 1000 pounds (GTW) be equipped with trailer brakes.

Vehicle Load

NOTE–In no case should you exceed the gross axle load ratings (GAWR front and rear) and the gross vehicle rating (GVWR) as shown on the vehicle certification label.

To figure your vehicle load with a light duty trailer, add the actual weight of the driver, passengers, luggage, any extra equipment and the tongue load of your trailer. If additional equipment has been added to your vehicle since delivery, don't forget to include this weight in figuring your load. If you don't know the individual weights of the driver, passengers, luggage, extra equipment, and tongue load, here is another method for

CAUTION–The cargo load should be restrained properly and evenly distributed to avoid vehicle damage due to the cargo shifting during acceleration or braking.

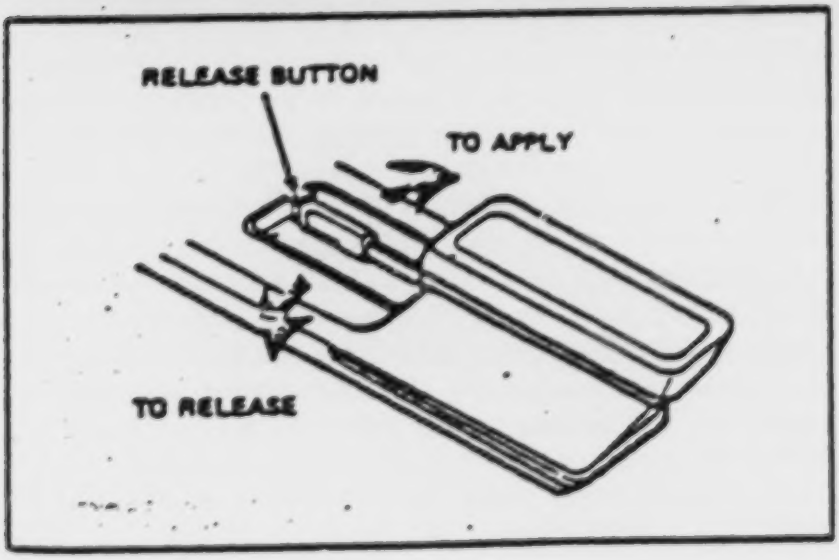
CAUTION–Bumper hitches are not recommended, nor should safety chains be attached to the bumper. However, multi-clamp type hitches, for the occasional use of a rental trailer, are safe as long as you install them properly and follow the usage and towing instructions of a reputable rental agency. Single clamp bumper hitches and hitches which attach to the vehicle's axle should not be used.

through normal usage. The rear drum brakes adjust automatically each time you apply the brakes while moving in reverse.

> CAUTION—Do not drive with your foot resting on the brake pedal. "Riding" the brakes may result in abnormally high brake temperatures, excessive lining wear and increased stopping distances.

When the front disc brakes have a limited amount of lining wear remaining, an audible squeal will be generated each time the brakes are applied with the car in motion; the intensity of the sound will gradually increase with continued lining wear.

Occasional or intermittent brake squeal may result from environmental conditions such as cold, hot, wet, snow, salt, mud, etc. This condition is not a functional one and will not affect braking



effectiveness. Only if squeal occurs continuously with every application should the brakes be checked.

NOTE–The front disc brake wear indicators will squeal when the front brakes have limited wear remaining and the brakes are applied. Have the brakes checked as soon as practical to preclude complete brake lining wear-out and subsequent damage to the rotor(s).

Parking Brake

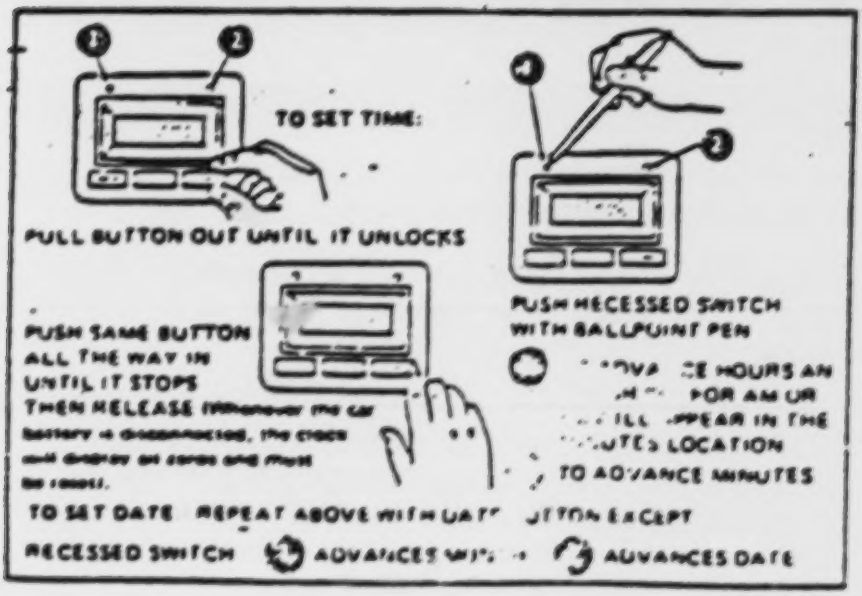
> WARNING–Always make sure your transmission is in P (PARK) before leaving the driver's seat, if you have an automatic transmission. Do not use R (REVERSE) or N (NEUTRAL). For cars with manual transmissions, shift into reverse gear. Set the parking brake. Remove your ignition key. Lock all doors.

The parking brake control is located between the front seats. Pull the handle upward to apply parking brake.

To release the parking brake, lift upward on handle and push the button on the handle, then lower the handle to the released position.

> CAUTION–Always check the BRAKE WARNING LIGHT each time you start the engine. This light will glow with the word BRAKE when the engine is running and your parking brake is set. Failure to release the parking brake will result in poor fuel economy and rapid brake wear.

WARNING—If the parking brake is released and the BRAKE light remains on after you have started the engine, this is an indication of a malfunction in the brake system. Immediate attention is necessary. Do not drive the vehicle.



Electronic Digital Clock

This optional clock displays either time, date or elapsed time. The date will also be displayed for a few seconds when the car is started or when the ignition switch is in the ACC position. E/T will display minutes and seconds for 60 minutes and will then display hours and minutes. Time or date can be displayed when the ignition is OFF by pushing the time or date button.

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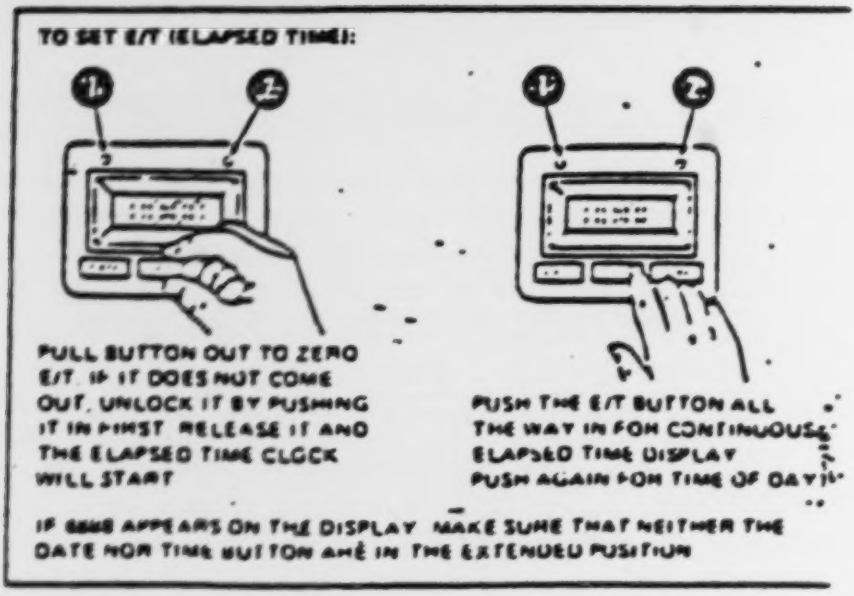
TO SET E/T (ELAPSED TIME):
PULL BUTTON OUT TO ZERO E/T. IF IT DOES NOT COME OUT, UNLOCK IT BY PUSHING IT IN FIRST. RELEASE IT AND THE ELAPSED TIME CLOCK WILL START
PUSH THE E/T BUTTON ALL THE WAY IN FOR CONTINUOUS ELAPSED TIME DISPLAY. PUSH AGAIN FOR TIME OF DAY.
IF 8888 APPEARS ON THE DISPLAY, MAKE SURE THAT NEITHER THE DATE NOR TIME BUTTON ARE IN THE EXTENDED POSITION

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Here are some starting tips:

- Turn off your headlights while you crank the engine. This will reduce the electrical load on your battery and supply extra power to the starter motor.

- In a cold engine starting situation, when the outside air temperature is below 10 degrees F (−12.2 degrees C) or when the vehicle has been idle for several days, depress the accelerator two or three times before starting.

Engine Block Heater

The optional engine block heater is used to warm the engine coolant which improves starting, provides for faster engine warm-up, and results in quicker response from heater-defroster system. It is recommended for use whenever the outside temperature is 0°F or below (−17.8°C or below). The heater is plugged into a grounded 110 volt outlet (household system) and

servicing, selling, leasing, or trading motor vehicles, as well as fleet operations from knowingly removing or rendering an emissions control system inoperative after sale and delivery to an ultimate purchaser. In Canada, modifications of the emissions control system could create liability under applicable Federal or Provincial laws.

Starting and Operating Precautions

Avoid damage to the vehicle or possible harm to yourself. Follow these precautions:

- Avoid excessive starter cranking (in excess of 30 seconds) with an intermittently firing or flooded engine. To avoid starter overheat or damage, do not crank the starter *continuously* for more than 30 seconds at a time. If the engine fails to start within the period mentioned above, wait 2 minutes before again attempting to start the vehicle.

consumes about 600 watts of power. For best results the heater should be plugged in at least three hours prior to starting. The use of the heater for longer periods of time will not cause the engine coolant to exceed the thermostat setting.

> CAUTION—Unplug heater cord and secure it to the vehicle prior to moving the vehicle.

Emissions Control System

When you take your vehicle to the dealer to be serviced, please do not ask him to modify any part of the emissions control system of your car. Modifications of the emissions control systems could create liability under Federal law (U.S.) if made prior to the first sale and registration, and under the laws of some states, if made thereafter. Further, Federal law prohibits vehicle manufacturers, dealers and other persons engaged in the business of repairing,

- Avoid attempting to start a vehicle by pushing. Instead, use jumper cables as described in the "Special Situations" section of this guide. (Vehicles with automatic transmissions cannot be started by pushing.).
- Avoid extended (in excess of 10 minutes) and unnecessary idling, particularly extended idling on the high step of the fast idle cam or at other high engine speeds or after sustained high speed operation. If extended idling occurs or is anticipated beyond 10 minutes, turn off the engine. Within 30 seconds after starting the engine, depress and release the accelerator pedal to produce a lower idle speed. Always avoid idling in dry grass or other dry ground cover. (See maintenance recommendations with regard to keeping grass shields free of debris.)

• Do not make unauthoriz d modifications to the engine or vehicle. Modifications causing increased amounts of unburned fuel to reach the exhaust system (including the catalytic converter) can significantly increase the temperature of the engine compartment and/or the exhaust system.

• Avoid operation under conditions of malfunction or neglect (disregard for recommended maintenance on the ignition system, fuel system, and emissions control system). It is important that you have your vehicle examined at the first indication of any significant depreciation in its normal performance. Such indications include, but are not limited to, extended dieseling (more than 5 seconds of engine run-on with the ignition lock cylinder key off), persistent misfiring, heavy surging, repetitive stalls or backfires, fluid leakage, odor, smoke, loss of oil pressure, or charge indicator or overtemperature warning.

Carbon monoxide is colorless and odorless, but can be present with all other exhaust fumes. Therefore, if you ever smell exhaust fumes of any kind inside your vehicle, have it inspected immediately by your dealer and have the condition corrected. Do not drive with exhaust fumes present.

In order to guard against the possible entry of carbon monoxide into your vehicle, the exhaust system and body ventilation system should be properly inspected by a competent mechanic as follows:

• Each time the vehicle is raised for service;

• Whenever you detect a change in sounds from the exhaust system;

• Whenever the vehicle has been damaged by an impact.

Exhaust Fumes

WARNING–EXHAUST GASES, PARTICULARLY CARBON MONOXIDE, ARE HARMFUL AND ARE POTENTIALLY LETHAL.

NEVER SIT IN A PARKED OR STOPPED VEHICLE FOR ANY EXTENDED AMOUNT OF TIME WITH THE ENGINE RUNNING.

NEVER LEAVE YOUR CAR UNATTENDED WHILE THE ENGINE IS RUNNING.

In order to afford proper ventilation, all air inlet vents should be kept clean of snow, leaves, and other debris.

WARNING–NEVER IDLE ENGINE IN CLOSED AREAS.

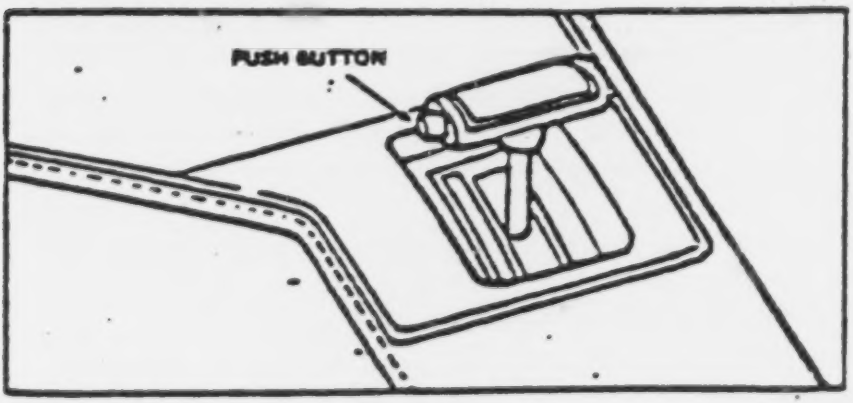
If you run the engine while stopped (idle) in an unconfined area, open the windows at least 1 inch and adjust the heating, air conditioning or ATC controls to draw outside air into vehicle as follows:

- HEATING–Close right vent, set fan speed on medium or high with function control lever on heat or defrost and the temperature control lever on any desired position.
- AIR CONDITIONING–Set fan speed on medium or high with function control lever on any position *except off* and the temperature control lever at mid-position.

• AUTOMATIC TEMPERATURE CONTROL (ATC)–Set fan speed on medium or high with function control lever in heat or defrost position and the temperature control lever at any desired position. Cold engine start will require approximately a 3-5 minute delay.

WARNING–Engine compartment and exhaust system temperatures may be higher due to emission control devices needed to comply with government mandated emission standards.

automatically latch when it is fully in P (PARK) and the push button will pop out. The button must be depressed to shift out of P (PARK) position.



Driving With 3-Speed Automatic Transmission

Gear Selector Positions

Your automatic transmission provides you with either fully automatic operation in the D (DRIVE) position or manual control by allowing you to start in either the 1 (FIRST) or 2 (SECOND) positions and then to upshift manually to the next gear. If your vehicle is equipped with a column shift selector, move the lever by first pulling the lever toward you. If your vehicle is equipped with a floor shift, press the push button on the end of the selector lever to move the lever to the various selector positions. The following are explanations of the selector positions.

P (PARK)—This position locks the rear wheels and the transmission whether or not the engine is running. Always come to a complete stop before shifting into P (PARK). The lever will

WARNING—Do not use the P (PARK) position in place of the parking brake. Shift into P (PARK) and set the parking brake. Turn off the ignition when you leave the vehicle, even momentarily. Never leave the vehicle unattended while the engine is running.

CAUTION—In shifting into the P (PARK) position, make sure that the shift lever has been pushed as far as it will go in a counterclockwise direction and cannot be moved back in a clockwise position without first being lifted towards you. On floor shift models the lever should be pushed as far forward as possible and should not be able to be moved without pushing the release button.

R (REVERSE)—This position allows your vehicle to move backward. Always come to a complete stop before shifting into or out of R (REVERSE), except when "rocking" the vehicle as explained in the "Special Situations" section of this guide.

N (NEUTRAL)—When you place the transmission selector lever in the N (NEUTRAL) position, there is neither forward nor reverse gear engagement. The wheels are not locked. If necessary you may start your vehicle in this position.

D (DRIVE)—The normal driving position is indicated by D (DRIVE). In this position your vehicle will accelerate in first gear giving the best combination of automatic gear shifts for economical and full-power starts. As you press down on the accelerator and the vehicle picks up speed, automatic shifts to second and high gears will occur. The transmission will automatically down-shift from high as speed decreases.

CAUTION—On slippery road surfaces (wet, icy, gravel, etc.) do not downshift into 1 (FIRST) position at speeds above 20 mph (32 km/h) to avoid loss of vehicle control.

FORCED DOWNSHIFTS—At speeds from 35 to 55 mph (55 to 88 km/h) in D (DRIVE) position, you can get the power and acceleration needed to pass moving cars or climb steep grades by pushing the accelerator to the floor to downshift from high to second gear. A forced downshift from high or second to low gear is possible at speeds under 35 mph (57 km/h) or less in D (DRIVE) position by completely depressing the accelerator pedal. Remember, forced downshifts can be performed only when your vehicle is in the D (DRIVE) position. The speeds mentioned here are approximate and vary with engine size, axle ratio and tire size.

2 (SECOND)—This position limits the transmission to second gear. The 2 (SECOND) position is particularly useful when driving up moderately steep grades or for braking purposes on mountain downgrades. Use the 2 (SECOND) position for starting up when the roads are slippery. Do not exceed 55 mph (88 km/h) in this position. If you want to upshift to high gear from the 2 (SECOND) position, move the selector to the D (DRIVE) position.

1 (FIRST)—This position limits the transmission to first gear. To help brake the vehicle on hilly roads where the 2 (SECOND) position does not provide sufficient braking, shift the selector lever to 1 (FIRST). Upshifts from 1 (FIRST) can be made only by manually shifting from 1 (FIRST) to 2 (SECOND) and then from 2 (SECOND) to D (DRIVE).

Driving With Four-Speed Manual Transmission

Gear Selector Positions

The shift pattern for the standard four-speed manual transmission is shown on the gear shift lever knob.

All forward gears are synchronized. This permits you to shift while the vehicle is moving.

To operate this transmission, first make sure the gear shift lever is in the NEUTRAL position. Then, press the clutch pedal fully to the floor. Now, start the engine. Move the gear shift lever to the FIRST (low) position to go forward or REVERSE to back up.

Depress the accelerator slowly, while letting out the clutch gradually but firmly at the same time, so that the vehicle moves smoothly away. During accelerations, upshift the transmission at the speeds shown in the chart on page 121.

Engine Compartment Nomenclature

1. BRAKE MASTER CYLINDER
2. ENGINE OIL FILLER CAP & PCV FILTER (2.3L)
3. ENGINE OIL FILTER
4. FUEL FILTER (ON CARBURETOR)
5. ENGINE OIL DIPSTICK
6. DISTRIBUTOR
7. COOLANT EXPANSION BOTTLE
8. WINDSHIELD WASHER RESERVOIR
9. AIR CLEANER ASSEMBLY
10. BATTERY
11. AUTOMATIC TRANSMISSION DIPSTICK
12. POWER STEERING RESERVOIR DIPSTICK
13. PCV VALVE & GROMMET & OIL FILLER CAP
14. RADIATOR CAP (ALL EXCEPT 2.3L NON-A/C)
15. RADIATOR CAP (2.3L NON-A/C)

ROUTINE

WARNING—Never remove the radiator cap under any circumstances while the engine is operating. Failure to follow these instructions could result in serious personal injury from hot coolant or steam blow-out and/or damage to the cooling system or engine. Switch off the engine and wait until it has cooled. Even then, use extreme care when removing the cap from a hot radiator. Wrap a thick cloth around the cap and turn it slowly to the first stop. Step back while the pressure is released from the cooling system. When you are sure all the pressure has been released, press down on the cap – still with a cloth – turn and remove it.

Engine Coolant

The factory installed solution of Ford Cooling System Fluid and water will protect your vehicle to −20 degrees F (−29 degrees C) or −35 degrees F (−37 degrees C) in some northern districts of the U.S., Alaska & Canada. Since the coolant contains rust and corrosion inhibitors, you should leave it in the vehicle year around. Refer to the maintenance schedule for recommended coolant change intervals.

WARNING—Keep hands and other objects clear of the radiator fan blades! The electric cooling fan for the 2.3L turbocharged engine is mounted behind the radiator and can start to operate at any time by an increase in underhood temperature, even though the ignition switch position may be off. For this reason care should be taken to ensure that the electric cooling fan motor is completely disconnected when working under the hood.

Checking Coolant Level

Check the freezing protection rating of the coolant at least once a year, just before winter. Maintain a protection rating of at least −20 degrees F (−29 degrees C) to prevent engine damage as a result of freezing and to assure proper engine operating temperature. The rust and corrosion inhibitors tend to deteriorate with

time; follow the maintenance schedule for recommended coolant change intervals to insure proper protection.

Check the coolant level in the radiator at least once a month, only when the engine is cool.

Whenever coolant level checks are made, check condition of radiator cap rubber seal. Make sure it is clean and free of any dirt particles. Rinse off with water if necessary. When replacing on radiator, also make sure radiator filler neck seat is clean.

Whenever you do add coolant to the radiator, use equal parts of water and Ford Cooling System Fluid or equivalent. If you have to add coolant more than once a month, or if you have to add more than one quart at a time, have your dealer check the cooling system for leaks.

Plain water may be used in an emergency, but replace it with the specified coolant as quickly as possible to avoid damage to the system. With only water in the system, do not let the engine run hot.

Checking Hoses

Inspect all engine and heater system hoses for deterioration, leaks, and loose hose clamps as specified in the maintenance schedule. Repair or replace as necessary.

Engine Oil

Checking Oil Level and Adding Oil

Because it is normal to add some oil between oil changes, have your engine oil level checked each time you stop for gas. Keep the oil level within the SAFE range or above the ADD mark on the dipstick by adding oil as required. Do not overfill. For capacity see Specifications and Capacities.

2.3L (140 CID) Engine with Air Conditioning Option, 3.3L (200 CID) Engine and 4.2L (255 CID) Engine:
Your car is equipped with a crossflow type radiator and the coolant level should be maintained within 2½ to 4 inches (6.4 to 10.2 cm) below the pressure cap seat in the radiator filler neck.

2.3L (140 CID) Engine without Air Conditioning Option:
Your car is equipped with a downflow type radiator and the coolant level should be maintained within ¾ to 1½ inches (1.9 to 3.8 cm) below the pressure cap seat in the radiator filler neck.

Coolant Specification
Use only a permanent-type coolant that meets Ford Specification ESE-M97B18-C, such as Ford Cooling System Fluid. Do not use alcohol or methanol antifreeze, or mix them with the specified coolant.

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Changing Oil and Filter
You should have your vehicle's engine oil and the filter changed according to the Scheduled Maintenance Charts. Under normal driving conditions, you don't need to change more often if you use oil and filters of the recommended quality. Change your oil and filter more frequently if your vehicle operation includes extended periods of idling or low-speed operation, towing trailers, driving for a long time in cold temperatures, or driving short distances, of if used as a taxi or police car.

Your new vehicle is equipped with a Motorcraft Long-Life Oil Filter. A filter of this quality should be used throughout the life of the vehicle. It is designed to protect your engine by filtering harmful, abrasive, or sludgy particles without clogging up or blocking the flow of oil to vital engine parts.

Use a Motorcraft Long-Life Oil Filter or one of equal quality

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